



Patent Docket No. 21829/101 (EBC-008)

Section 1  
\$

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Wei et al.

Serial No. : 09/829,124

Cnfrm. No. : 2301

Filed : April 9, 2001

For : HYPERSENSITIVE RESPONSE ELICITOR FROM *XANTHOMONAS CAMPESTRIS*

TRANSMITTAL LETTER

Commissioner For Patents  
Washington, D.C. 20231  
**Box: Missing Parts**

Dear Sir:

In response to the Notice to File Missing Parts of Application Under 37 CFR 1.53(b), which was mailed by the United States Patent and Trademark Office on August 8, 2001, enclosed are:

☒ A Combined Declaration and Power of Attorney.

☒ Applicants claim small entity status. (See 37 CFR 1.27.)

☐ A Request for Corrected Filing Receipt and Copy of Official Filing Receipt.

☒ A copy of the Notice to File Missing Parts.

☒ A self-addressed, prepaid postcard for acknowledging receipt.

☒ Fees as calculated below:

FEE FOR (ONE, TWO OR THREE)-MONTH EXTENSION OF TIME	\$
SURCHARGE 37 CFR 1.16(e)	\$65.00
ADDITIONAL FEES	\$
TOTAL FEES SUBMITTED HERewith	\$65.00

☒ A check in the amount of \$65.00 to cover the above fees.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 14-1138. A duplicate copy of this sheet is enclosed.

Date: October 5, 2001

Nixon Peabody LLP  
Clinton Square, P.O. Box 31051  
Rochester, New York 14603  
Telephone: (716) 263-1128  
Facsimile: (716) 263-1600

Edwin V. Merkel  
Registration No. 40,087

Certificate of Mailing - 37 CFR 1.8(a)	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date below.	
Date <u>10/8/01</u>	 Wendy L. Harrold

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R526514.1

  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/829,124	04/09/2001	Zhong-Min Wei	21829/101(EBC-008)

CONFIRMATION NO. 2301

## FORMALITIES LETTER



\*OC000000006401230\*

Michael L. Goldman  
NIXON PEABODY LLP  
Clinton Square  
P.O. Box 31051  
Rochester, NY 14603

Date Mailed: 08/08/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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